

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 E/S Woodlawn Drive, 150 ft. N
 of Security Boulevard * ZONING COMMISSIONER
 1701 Woodlawn Drive
 1st Election District * OF BALTIMORE COUNTY
 2nd Councilmanic District
 Legal Owner: Joseph Levy, et al * Case No. 97-374-A
 Lessee: Tricaz, LLC, t/a
 Security Nissan, Petitioner *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1701 Woodlawn Drive in Woodlawn. The Petition is filed by Joseph Levy and Emanuel Levy, property owners, and the business known as Security Nissan, Lessee. Variance relief is requested, pursuant to Sections 413.2.F and 413.5.D of the Baltimore County Zoning Regulations (BCZR), to permit a free standing sign 39 ft. high and 320 sq. ft. in area, in lieu of the permitted maximum of 25 ft. high and 100 sq. ft. in area, respectively. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Ferd H. Onnen, a principal in that entity which does business as Security Nissan. Also present was Lisa M. Vastardis, a Regional Marketing Director for Nissan. Paul Lee, the engineer who prepared the site plan, also appeared in support of the Petition. The Petitioner was represented by Lawrence F. Haislip, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject site is 3.31 acres in area, zoned B.M.-A.S. The property is a triangularly shaped property with frontage on Woodlawn Drive, not far from Security Boulevard in Woodlawn. Presently, the site is improved with an existing one story building, accessory parking and a storage area. As noted above, the site

4/16/97
 Jai
 by [Signature]

APPROVED BY [Signature]

is the home of the business known as Security Nissan.

Proffered testimony and evidence presented was that the site is of unique size and configuration. Despite its acreage, the property has limited frontage on Woodlawn Drive and extends a significant depth to the rear. It is also of note that the property immediately abuts a storm drain easement area owned by Baltimore County. This easement area is wooded and greatly reduces visibility to the subject site from Security Boulevard.

In view of these site constraints and characteristics, the Petitioner proposes a pole mounted sign as shown on the site plan. It was indicated that the sign is necessary to advise potential customers of the business location. Proffered testimony was that a significant portion of business volume is drawn to the site by signage and the property's unique characteristics as described above, limits the site's visibility from the major arterial road in the area; namely, Security Boulevard.

As noted above, there were no interested persons or Protestants at the hearing. Moreover, the variance enjoys the support of the Office of Planning which recommends approval based on actual field conditions.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has satisfied the requirements of Section 307 of the BCZR, as construed by the case law. The property's size and configuration surely are unusual characteristics which makes the property unique. Moreover, the Petitioner would suffer a practical difficulty if variance relief were denied. Moreover, there will be no adverse impact on surrounding properties.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

ORIGINAL FILED FOR FILING
Date 4/16/97
By [Signature]

16 th day

Frederick E. Schmitt
FREDERICK E. SCHMITT

LES/min

4/16/97
M. Ford



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

April 15, 1997

Lawrence F. Haislip, Esquire
Miles and Stockbridge
600 Washington Avenue, Suite 300
Towson, Maryland 21204

RE: Case No. 97-374-A
Petition for Zoning Variance
Petitioners: Joseph Levy, et al/Tricaz LLC, t/a Security Nissan
Property: 1701 Woodlawn Drive, Dist. 1C2

Dear Mr. Haislip:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. Ferdinand H. Onnen, Security Nissan, 1701 Woodlawn Drive
Baltimore, Maryland 21207





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1701 Woodlawn Drive, Dist. 1C2

which is presently zoned BM- AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 413.2.F and 413.5.D. to permit a free standing sign 39 feet high and 320 square feet in area in lieu of the permitted maximum of 25 feet high and 100 square feet, respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) In order to permit the erection of a free standing business sign having a height of 39' overall, and an area of 320 square feet overall to conform to the marketing programs for Nissan Motor Cars, and to provide adequate signage given the location of the subject property relative to adjacent arterial traffic patterns, and for such other reasons as shall be presented at the hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

TRICAZ, LLC d/b/a
SECURITY NISSAN

(Type or Print Name)

By:

Signature Ferdinand H. Onnen

1701 Woodlawn Drive

Address

Baltimore, Maryland

City

State

21207

Zipcode

Attorney for Petitioner

Lawrence F. Haislip

(Type or Print Name)

Signature

Miles & Stockbridge

600 Washington Avenue, Suite 300 823-8234

Address

Phone No

Towson

Maryland

21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

JOSEPH LEVY

(Type or Print Name)

Signature

EMANUEL LEVY

(Type or Print Name)

Signature

c/o Mr. Ferd Onnen
1701 Woodlawn Drive

Address

Phone No

Baltimore

Maryland

21207

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Lawrence F. Haislip

Name

Miles & Stockbridge

600 Washington Avenue, Suite 300 823-8234

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

3/6/97



Printed with Soybean Ink
on Recycled Paper



97-374-A

410-821-5941

##1701 WOODLAWN DRIVE
ELECTION DISTRICT 1C2
BALTIMORE COUNTY, MARYLAND

Containing 3.31 acres + of land.



J.O. 96039

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #97-374-A
1701 Woodlawn Drive
E/S Woodlawn Drive, 150' N
of Security Boulevard
1st Election District

2nd Councilmanic
Legal Owner(s):
Joseph Levy and Emanuel
Levy
Contract Purchaser:
Tricaz, LLC, t/a Security Nis-
san

Variance: to permit a free-
standing sign 35 feet high and
320 square feet in area in lieu
of the permitted maximum of
25 feet high and 100 square
feet, respectively.

Hearing: Monday, April 7,
1997 at 9:00 a.m. in Rm.
118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3363.

(2) For information concern-
ing the File and/or Hearing,
Please Call 887-3391.

3/248 March 20 C127935

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/20, 1997.

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 3/20, 1997.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 032671

374

By JLL.

ACCOUNT 80016150

DATE 3/6/97

AMOUNT \$ 250.00

RECEIVED FROM: MILES + STOCKBRIDGE

FOR: CVELLIP

03A7140070MICHRO

\$250.00

VALIDATION OR SIGNATURE OF CASHIER

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Ave.
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 97-374-A

Petitioner: LEVY

Location: 1701 WOODLAWN DR.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: FERDINAND ONNEN OF TRICAZ LLC

ADDRESS: 1701 WOODLAWN DR.

BALTO, MD. 21207

PHONE NUMBER: ~~410~~ 823 8234

AJ:ggs

(Revised 09/24/96)

CERTIFICATE OF POSTING

RE: Case # 97-374-A

Petitioner/Developer:
(Security Nissan)
Date of Hearing/Closing:
(April 7, 1997)

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

____ 1701 Woodlawn Drive Baltimore, Maryland 21207 _____

The sign(s) were posted on _____ March 20, 1997 _____
(Month, Day, Year)

Sincerely,

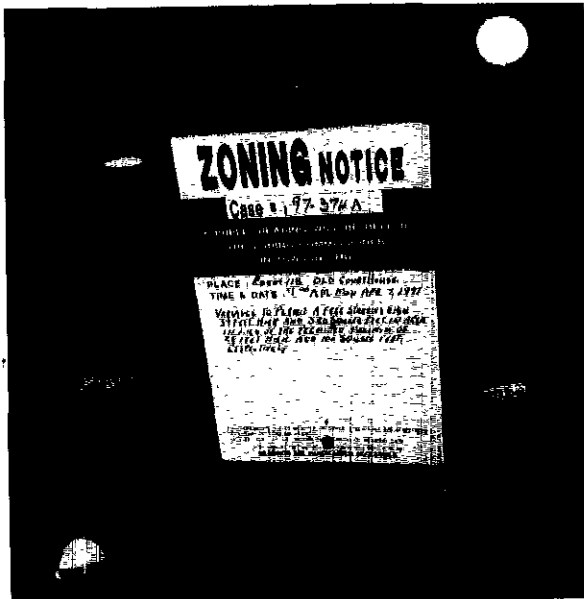

(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____
(Printed Name)

____ 325 Nicholson Road _____
(Address)

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)



97-374-A

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than 3/16/97

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-374-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: TO PERMIT A FREESTANDING SIGN 39 FT. HIGH
AND 320 SQ. FT. IN AREA IN LIEU OF THE PERMITTED MAXIMUM
OF ~~25~~ 25 FT. HIGH AND 100 SQ. FT. IN AREA RESPECTIVELY

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
March 20, 1997 Issue - Jeffersonian

Please forward billing to:

Ferdinand Onnen
TRICAZ LLC
1701 Woodlawn Drive
Baltimore, MD 21207
823-8234

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-374-A
1701 Woodlawn Drive
E/S Woodlawn Drive, 150' N of Security Boulevard
1st Election District - 2nd Councilmanic
Legal Owner(s): Joseph Levy and Emanuel Levy
Contract Purchaser: Tricaz, LLC, t/a Security Nissan

Variance to permit a free-standing sign 39 feet high and 320 square feet in area in lieu of the permitted maximum of 25 feet high and 100 square feet, respectively.

HEARING: MONDAY, APRIL 7, 1997 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

NOTICE OF HEARING

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HEARING: MONDAY, APRIL 7, 1997 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Ferdinand H. Onnen
Lawrence F. Haislip, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MARCH 23, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 31, 1997

Lawrence F. Haislip, Esquire
Miles & Stockbridge
600 Washington Avenue, Suite 300
Towson, MD 21204

RE: Item No.: 374
Case No.: 97-374-A
Petitioner: Joseph Levy, et al

Dear Mr. Haislip:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 6, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

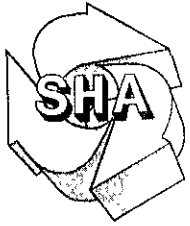
Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 3-14-97 JLL
Item No. 374

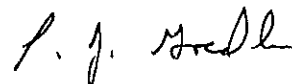
Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,


for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

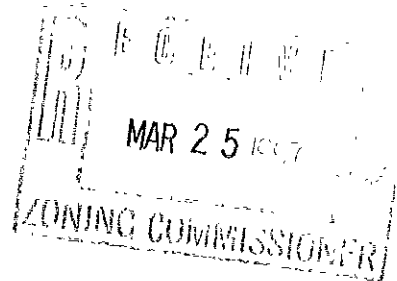
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and Development Management

DATE: March 20, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 1701 Woodlawn Drive



INFORMATION:

Item Number: 374
Petitioner: Tricaz, LLC d/b/a Security Nissan
Property Size:
Zoning: BM-AS
Requested Action: Variance
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff has met with the applicant's attorney, Mr. Haislip, and based upon the information provided and a site inspection at the subject property, this office believes that the requested variance is warranted.

Staff has requested that the applicant enhance the appearance of the property by upgrading the existing landscape treatment of the site.

Should the applicant's request be granted, staff recommends that a landscape plan showing these improvements be made part of the case file in this matter.

Prepared by: Jeffrey W. Long
Division Chief: Dary L. Kerns
AFK/JL:rdn

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 24, 1997

FROM: *RWB* Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for March 24, 1997
 Item No. 374

The Development Plans Review Division has reviewed the subject zoning item.

Recommend that a streetscape planting be required that is in accordance with the landscape manual.

RWB:HJO:cab

cc: File

ZONE324.374

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley. *RBS/40*
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: *March 17, 97*

DATE: *3/12/97*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: *#374*

RBS:sp

BRUCE2/DEPRM/TXTSBP

PETITION PROBLEMS

#368 --- RT

1. No section number or request wording on petition form.

#374 --- JLL

1. Petition says zoning is "BM-AS", folder says "BL-AS" -- which is correct?
2. No telephone number for legal owner.
3. Need title of person signing for contract purchaser.
4. Sign form is incomplete/incorrect.

#375 --- MJK

1. Need authorization for person signing for legal owners.
2. Sign form is incomplete/incorrect.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

97-374-A.

NAME

ADDRESS

FERD H. ONNEN

STOCKADWICK RD LUTHERVILLE MD 21093

WISA M. VASTARDIS

43395 WILDROSE CT. ASHBURN, VA 20147

LAURENCE P. HATHSLIP

TOWSON MD (Council)

PAUL LEE

TOWSON MD

Regional Marketing



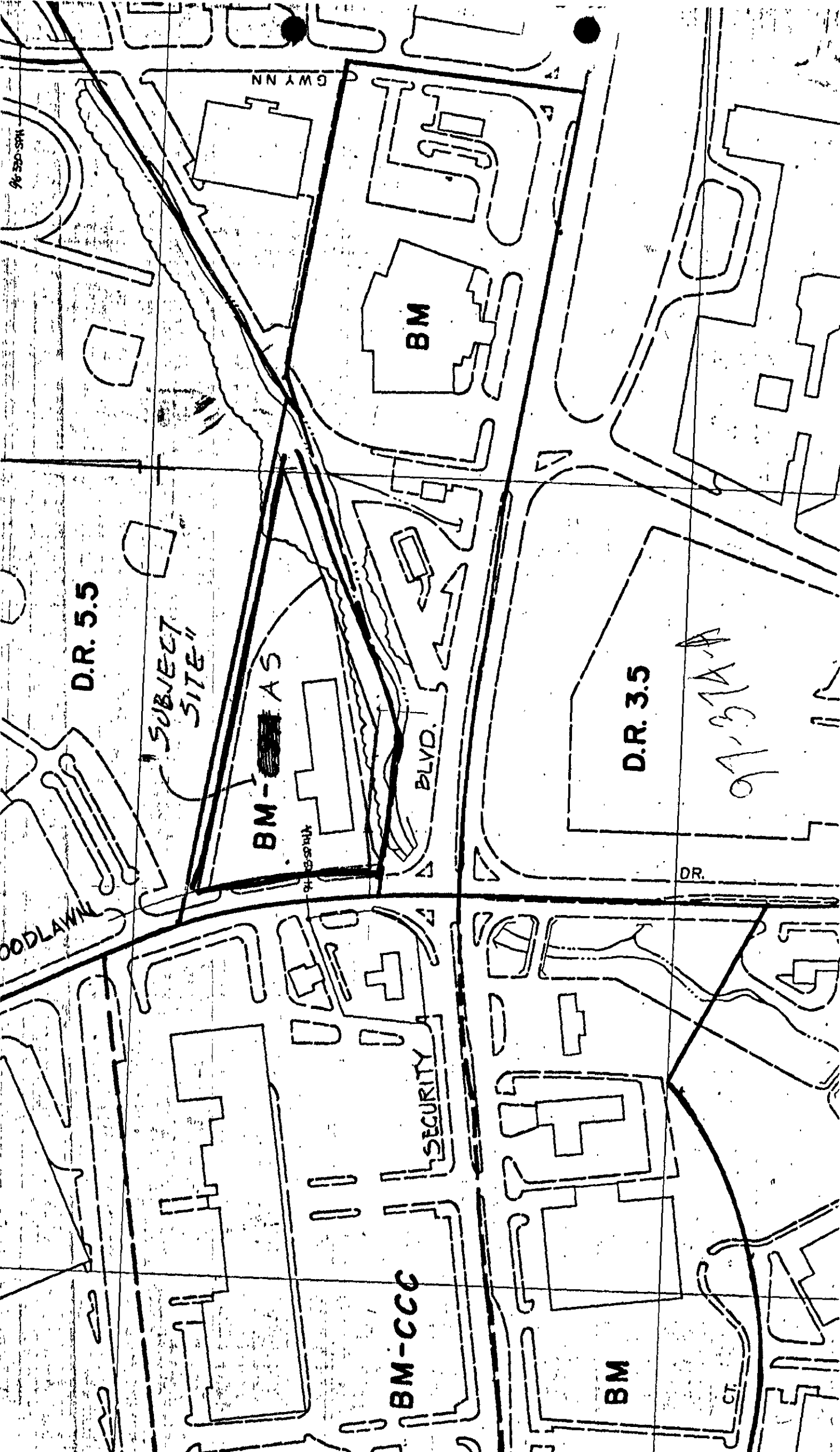
FERD H. ONNEN
President

TOWSON FORD
926 York Road
Towson, MD 21204
(410) 823-3131

SECURITY NISSAN
1701 Woodlawn Drive
Baltimore, MD 21207
(410) 298-4400



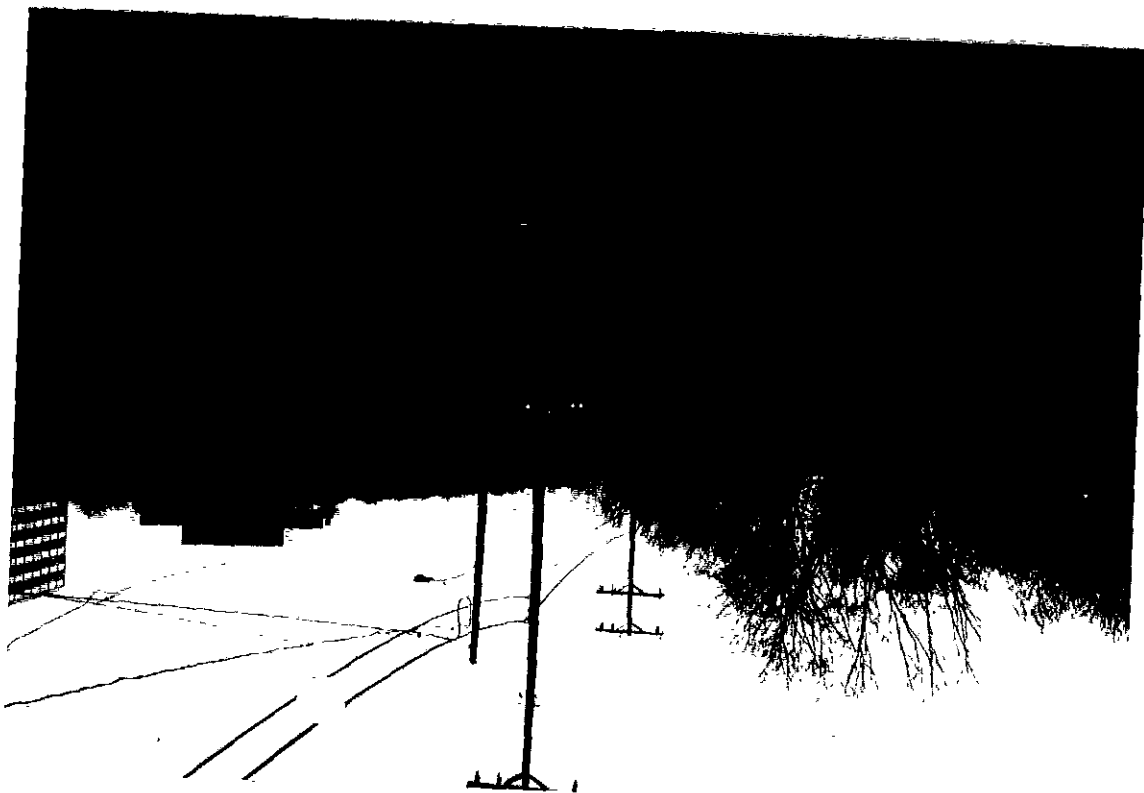
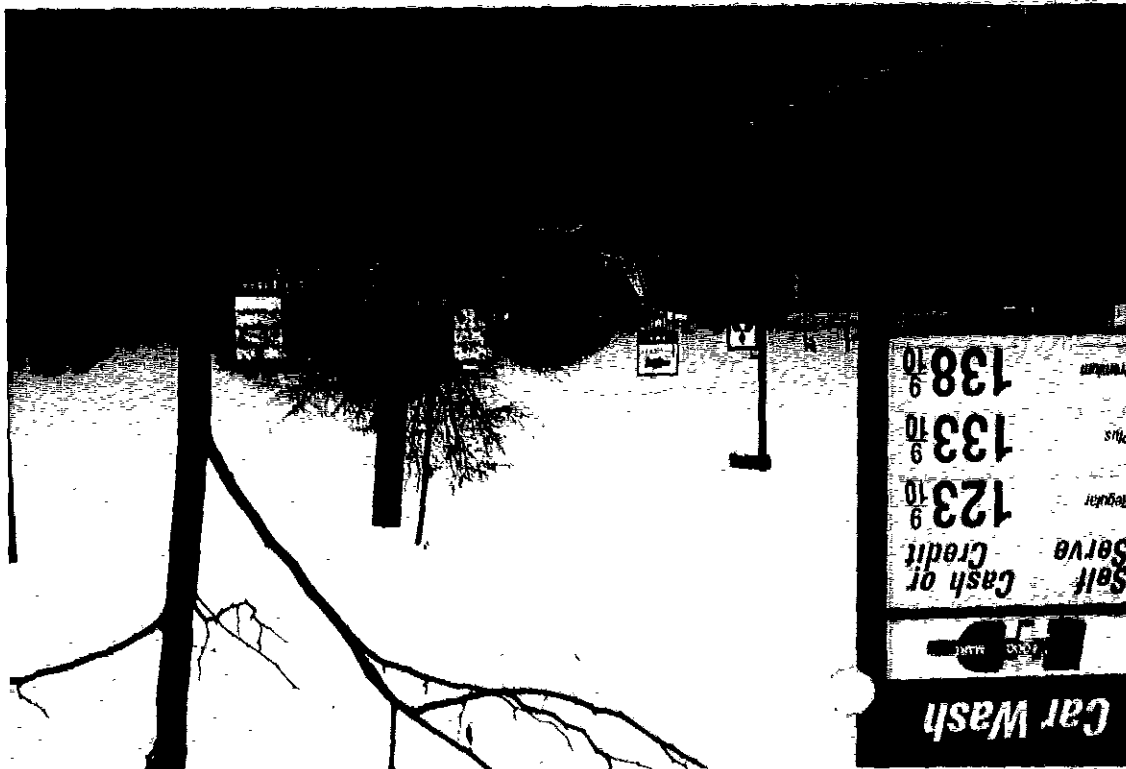
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on Recycled Paper

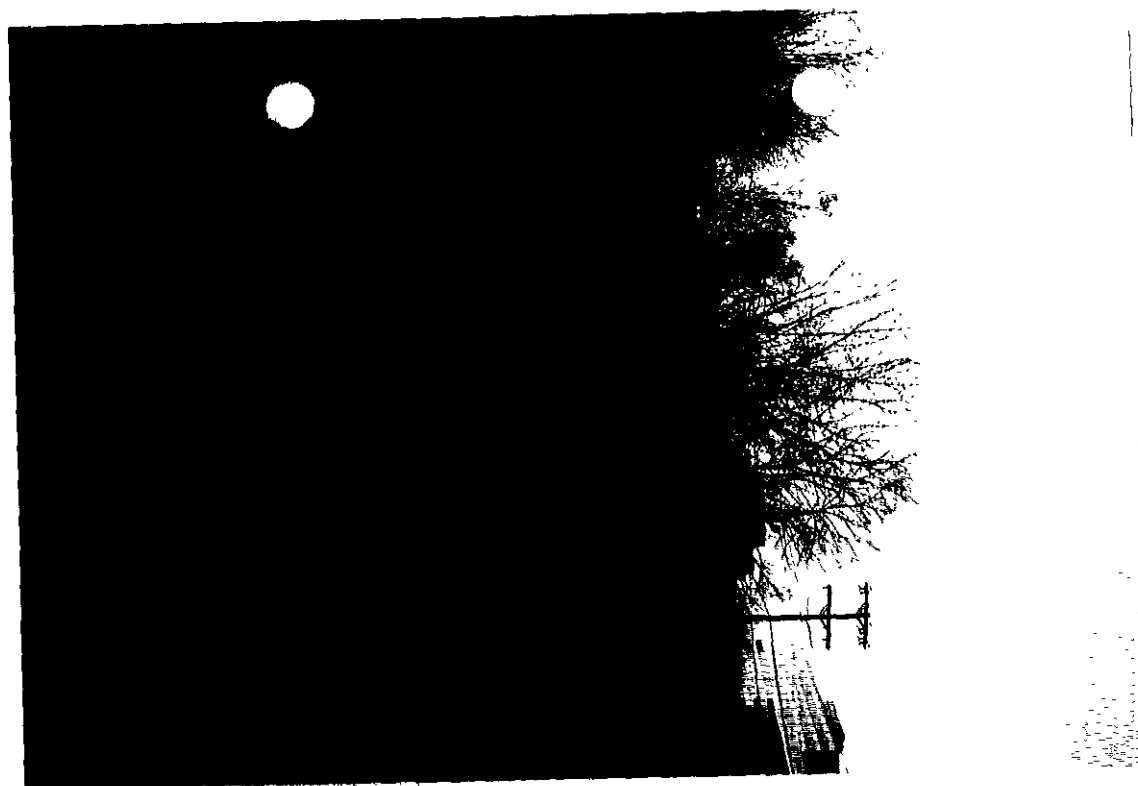


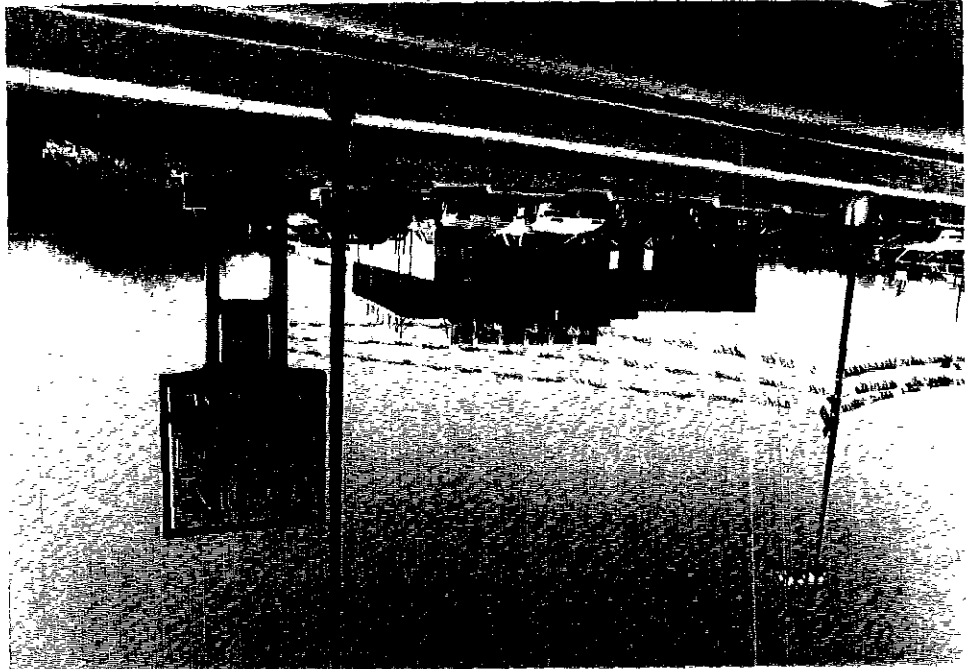
SCALE: 1" = 200'

REVISIONS

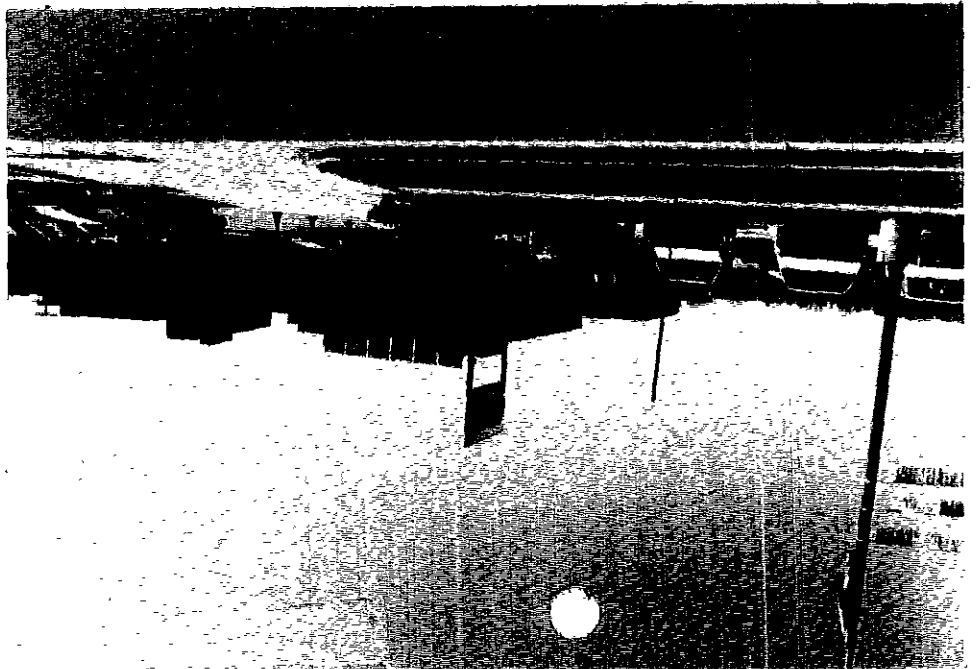








IMPERIAL DATSUN/
PONTIAC



BOARD OF ESTIMATES

EX ZONING: EX-5.5
EX USE: MODULAR HIGH SCHOOL

(SHEET 2 OF 2)

EX-5.5 ZONING LINE

EX-5.5 ZONING LINE

EX-5.5 ZONING LINE

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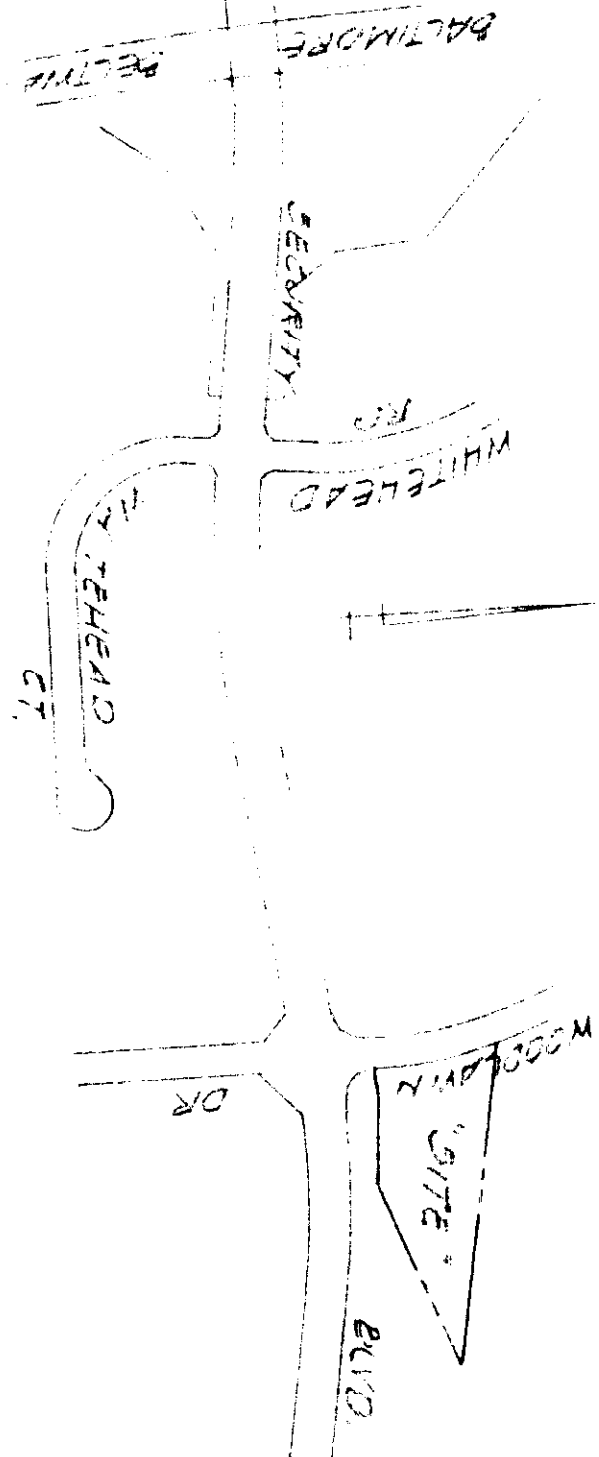
EX-5.5 ZONING LINE

EX-5.5 ZONING LINE

EX-5.5 ZONING LINE

EX-5.5 ZONING LINE

EX-5.5 ZONING LINE



LOCATION PLAN
SCALE: 1"=50'

GENERAL NOTES:

1. AREA OF PROPERTY : 3.3 AC. (6005 ± 3534 ±)
2. EXIST. ZONING OF PROPERTY : EX-5.5
3. EXIST. USE OF PROPERTY : SECURITY NISSAN AUTO SALES & SERVICES
4. PRO. ZONING OF PROPERTY : EX-5.5
5. PRO. USE OF PROPERTY : "SECURITY NISSAN AUTO SALES & SERVICES"
6. AREA OF LOT: 3.3 AC. (6005 ± 3534 ±)
7. AREA OF LOT: 3.3 AC. (6005 ± 3534 ±)
8. AREA OF LOT: 3.3 AC. (6005 ± 3534 ±)
9. AREA OF LOT: 3.3 AC. (6005 ± 3534 ±)
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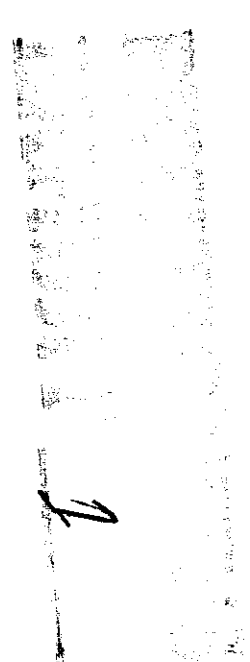
2417 WOODLAWN DRIVE
FOR
SIGN VARIANCE

SECURITY NISSAN

1701 WOODLAWN DRIVE

ELECT. DIST. 102
SCALE: 1"=50'

DEC. 10, 1995
MAR. 6, 1996



OWNER:
JOSEPH LEE
1027 LONG MEADOW RD.
BALTIMORE, MARYLAND 21208

LESSOR:
SECURITY NISSAN
1701 WOODLAWN DRIVE
BALTIMORE, MARYLAND 21202

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204

